

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of

FRONTIER COMMUNICATIONS SERVICES, INC.	)	
	)	
Application for Transfer of Control of a	)	File No. SCL-T/C-19990914-00020
Cable landing License from Frontier Corporation	)	
to Global Crossing Ltd.	)	

**ORDER AND AUTHORIZATION**

**Adopted: March 13, 2000**

**Released: March 15, 2000**

By the Chief, Telecommunications Division:

1. Frontier Communications Services, Inc. (FCSI) pursuant to the Cable Landing License Act<sup>1</sup> and Executive Order No. 10530,<sup>2</sup> submitted the above-captioned application requesting authority to transfer control of FCSI's interest in the Cable Landing License for the Japan-US Cable Network<sup>3</sup> to Global Crossing Ltd. (Global Crossing). We placed the application on public notice on September 29, 1999. We did not receive any comments.

2. In a Memorandum Opinion and Order released September 21, 1999, the Commission granted authority for the transfer of control of FCSI's parent corporation, Frontier Corporation (Frontier) to Global Crossing.<sup>4</sup> In their original application for transfer of in that proceeding, the applicants did not request authority to transfer control of FCSI's interest in the Cable Landing License for the Japan-US Cable Network (Japan-US CN). Accordingly, we granted the applicants Special Temporary Authority to transfer control of the Japan-US CN Cable Landing License so that Global Crossing and Frontier could complete the transaction contemplated in the Global Crossing/Frontier Order.<sup>5</sup> In this Order, we grant final approval for the transfer of control of FCSI's interest in the Cable Landing License for the Japan-US CN.

3. As required by Section 1.767(a)(6) of the Commission's rules,<sup>6</sup> FCSI and Global

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<sup>1</sup> An Act Relating to the Landing and Operation of Submarine Cables in the United States, 47 U.S.C. §§34-39 (Cable Landing License Act).

<sup>2</sup> Exec. Ord. No. 10530 *reprinted as amended in* 3 U.S.C. § 301.

<sup>3</sup> *See Cable Landing License*, FCC 99-167, 14 FCC Rcd 13,066 (1999).

<sup>4</sup> *See Global Crossing Ltd. and Frontier Corporation*, Memorandum Opinion and Order, 14 FCC Rcd 15,911, 15,921-23, paras. 20-24 (1999) (Global Crossing/Frontier Order).

<sup>5</sup> *Id.* at 15,921 n. 58.

<sup>6</sup> 47 C.F.R. § 1.767(a)(6).

Crossing have listed their ownership information including foreign affiliations, which, according to the applicants, have not changed materially from the filing of the original transfer of control application.<sup>7</sup> In the Global Crossing/Frontier Order, we found that neither Frontier nor Global Crossing would become affiliated as a result of the transaction with a foreign carrier that has market power on the foreign end of any route that either carrier is authorized to serve.<sup>8</sup> There is nothing in the record to suggest that we should reach a different conclusion now. Accordingly, we find that the foreign affiliations of the applicants not raise concerns that warrant denial of the application under the Cable Landing License Act.

4. Pursuant to Section 1.767(b) of the Commission's Rules,<sup>9</sup> the Cable Landing License Act, and Executive Order No. 10530, we informed the Department of State of the application.<sup>10</sup> The Department of State, after coordinating with the National Telecommunications and Information Administration and the Department of Defense, stated that it has no objection to the proposed assignment of license.<sup>11</sup>

5. Upon consideration of the application and in view of the foregoing, we conclude that this assignment does not raise any of the concerns listed in the Cable Landing License Act,<sup>12</sup> and that consent to transfer of control of FCSI's interest in the Japan-US CN Cable Landing License from Frontier to Global Crossing will serve the public interest, convenience, and necessity.

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<sup>7</sup> See Application, File No. SCL-T/C-19990914-00020, at 11.

<sup>8</sup> Global Crossing/Frontier Order, 14 FCC Rcd at 15,923 para. 24.

<sup>9</sup> 47 C.F.R. § 1.767(b).

<sup>10</sup> Letter from Rebecca Arbogast, Chief, Telecommunications Division, International Bureau, Federal Communications Commission, to Steven W. Lett, Deputy U.S. Coordinator, Office of International Communications and Information Policy, Bureau of Economic and Business Affairs, U.S. Department of State (Sept. 22, 1999).

<sup>11</sup> Letter from Richard C. Beaird, Acting United States Coordinator, International Communications and Information Policy, U.S. Department of State, to Donald Abelson, Chief, International Bureau, Federal Communications Commission (March 13, 2000).

<sup>12</sup> 47 U.S.C. § 35.

6. Accordingly, IT IS ORDERED that the application of FCSI, File No. SCL-T/C-19990914-00020, IS GRANTED, and the transfer of control of FCSI's interest in the Japan-US CN Cable Landing License from Frontier to Global Crossing is authorized. The Japan-US CN Cable Landing License, File No. SCL-LIC-19981117-00025, IS MODIFIED to reflect this transfer of control.

7. IT IS FURTHER ORDERED that all terms and conditions imposed in the Japan-US CN Cable Landing License and the Global Crossing/Frontier Order remain in effect.

8. This Order is issued under Section 0.261 of the Commission's Rules, 47 C.F.R. § 0.261, and is effective upon adoption. Petitions for reconsideration under Section 1.106 or applications for review under Section 1.115 of the Commission's Rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of public notice of this Order (*see* 47 C.F.R. Section 1.4(b)(2)).

FEDERAL COMMUNICATIONS COMMISSION

Rebecca Arbogast  
Chief, Telecommunications Division  
International Bureau